

Serial No.: 10/506592

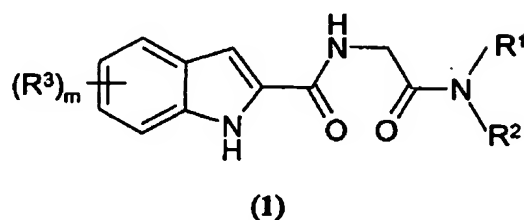
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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

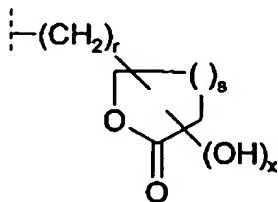
Listing of Claims:

1. (currently amended) A compound of formula (1):

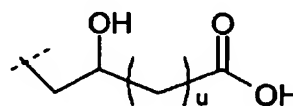


wherein[[:]]

R¹ is independently selected from C₁₋₆alkyl, C₅₋₇cycloalkyl, C₅₋₇cycloalkylC₁₋₃alkyl, C₁₋₆alkoxy, C₅₋₇cycloalkoxy, C₅₋₇cycloalkylC₁₋₃alkoxy, heterocyclyl, heterocyclylC₁₋₃alkyl, heterocyclyloxy or heterocyclylC₁₋₃alkoxy (wherein each of these groups is substituted on carbon ~~by~~ with 1, 2, or 3 hydroxy groups, provided that there is no more than one hydroxy group on the same carbon atom and a ring carbon atom adjacent to a ring heteroatom is not substituted by a hydroxy group), and groups of the formula A or A' [[:]]



(A)



(A')

wherein x is 0 or 1, r is 0, 1, 2, or 3, s is 1 or 2 and u is 1 or 2;

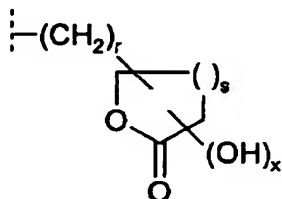
provided that in (A) the hydroxy group is not a substituent on the ring carbon adjacent to the ring oxygen;

R² is phenyl or heteroaryl (each of which is optionally substituted ~~by~~ with 1 or 2 substituents independently selected from halo, cyano, trifluoromethyl, difluoromethyl, fluoromethyl, C₁₋₃alkoxy, C₁₋₃alkanoyl, carbamoyl, *N*-C₁₋₃alkylcarbamoyl, *N,N*-di-C₁₋₃alkylcarbamoyl,

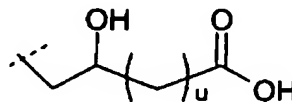
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sulfamoyl, *N*-C₁₋₃alkylsulfamoyl, *N,N*-di-C₁₋₃alkylsulfamoyl, and groups of the formulae B and B'[[:]]



(B)



(B')

wherein x is 0 or 1, r is 0, 1, 2, or 3, s is 1 or 2 and u is 1 or 2;

provided that the hydroxy group is not a substituent on the ring carbon adjacent to the ring oxygen);

m is 0, 1, or 2; and

R³ is independently selected from hydrogen, halo, nitro, cyano, hydroxy, carboxy, carbamoyl, C₁₋₄alkyl, C₂₋₄alkenyl, C₂₋₄alkynyl, C₁₋₄alkoxy, C₁₋₄alkanoyl, fluoromethyl, difluoromethyl, trifluoromethyl, and trifluoromethoxy;

provided that when R¹ is of the formula A or A', then R² does not contain a group of the formula B or B', and when R² is of the formula B or B', then R¹ does not contain a group of the formula A or A';

or a pharmaceutically acceptable salt or prodrug thereof.

2. (currently amended) A compound of the formula (1) as claimed in claim 1, wherein: R¹ is selected from C₁₋₆alkyl, C₅₋₇cycloalkyl, C₅₋₇cycloalkylmethyl, C₁₋₆alkoxy, C₅₋₇cycloalkoxy, C₅₋₇cycloalkylC₁₋₃methoxy, heterocyclyl, heterocyclylmethyl, heterocyclylloxy and heterocyclylmethoxy (wherein each of these groups is substituted by with 1 or 2 hydroxy groups provided that there is no more than one hydroxy group on the same carbon atom), or R¹ is of the formula A or A'; R² is a phenyl or heteroaryl group (each of which is optionally substituted by with 1 or 2 substituents independently selected from halo, cyano, trifluoromethyl, carbamoyl, *N*-C₁₋₃alkylcarbamoyl, *N,N*-di-C₁₋₃alkylcarbamoyl, sulfamoyl, *N*-C₁₋₃alkylsulfamoyl, *N,N*-di-C₁₋₃alkylsulfamoyl, a group of the formula B, and a group of the formula B'); or a pharmaceutically acceptable salt or in-vivo hydrolysable ester thereof.

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3. (currently amended) A compound of the formula (1) as claimed in claim 1, wherein:

R¹ is selected from C₁₋₆alkyl, C₅₋₇cycloalkyl, C₅₋₇cycloalkylmethyl, C₁₋₆alkoxy, C₅₋₇cycloalkoxy, and C₅₋₇cycloalkylC₁₋₃methoxy, ~~[[()]]~~ wherein each group is substituted by-with 1 or 2 hydroxy groups provided that there is no more than one hydroxy group on the same carbon atom~~[[()]]~~;

R² is a phenyl or heteroaryl group (each of which is optionally substituted by-with 1 or 2 substituents independently selected from halo, cyano, trifluoromethyl, carbamoyl, N-C₁₋₃alkylcarbamoyl, N,N-di-C₁₋₃alkylcarbamoyl, sulfamoyl, N-C₁₋₃alkylsulfamoyl, and N,N-di-C₁₋₃alkylsulfamoyl);

or a pharmaceutically~~[[-]]~~ acceptable salt or in-vivo hydrolysable ester thereof.

4. (currently amended) A compound of the formula (1) as claimed in claim 1, wherein:

R¹ is selected from ethyl, propyl, cyclopentyl, cyclohexyl, cyclopentylmethyl, and cyclohexylmethyl, ~~[[()]]~~ wherein each group is substituted by-with 1 or 2 hydroxy groups provided that there is no more than one hydroxy group on the same carbon atom~~[[()]]~~;

R² is selected from phenyl, pyridyl, oxadiazolyl, oxazolyl, thiazolyl, and thienyl, ~~[[()]]~~ each of which group is optionally substituted by-with 1 or 2 substituents independently selected from halo, cyano, trifluoromethyl, carbamoyl, N-C₁₋₃alkylcarbamoyl, sulfamoyl, and N-C₁₋₃alkylsulfamoyl~~[[()]]~~;

m is 1; and

R³ is chloro;

or a pharmaceutically~~[[-]]~~ acceptable salt or in-vivo hydrolysable ester thereof.

5. (currently amended) A compound of the formula (1) as claimed in claim 1, wherein:

R¹ is selected from 2-hydroxyethyl, 2,3-dihydroxypropyl, 3,4-dihydroxycyclopentyl, and 3,4-dihydroxycyclopentylmethyl;

R² is phenyl optionally substituted by-with 1 or 2 substituents independently selected from halo, cyano, trifluoromethyl, carbamoyl, N-C₁₋₃alkylcarbamoyl, sulfamoyl, and N-C₁₋₃alkylsulfamoyl;

m is 1 or 2; and

R³ is hydrogen or halo;

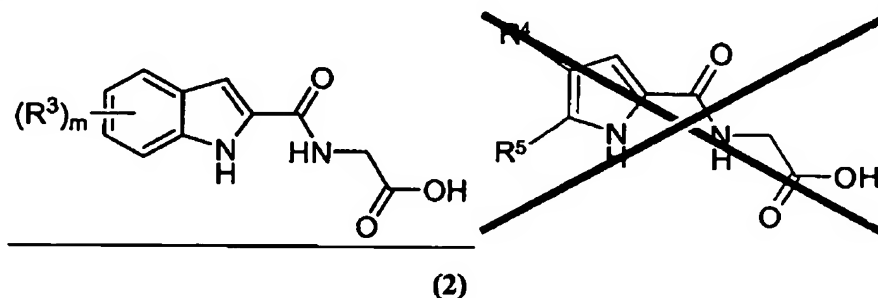
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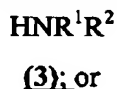
or a pharmaceutically acceptable salt or in-vivo hydrolysable ester thereof.

6. (currently amended) A process for preparing a compound of formula (1), as defined in claim 1 or a pharmaceutically acceptable salt or an in-vivo hydrolysable ester thereof, which process comprises:

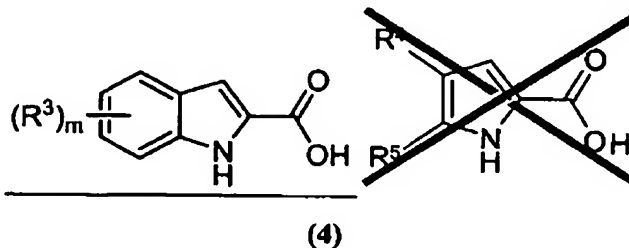
a) reacting an acid of the formula (2) [[:]]



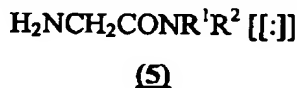
or an activated derivative thereof; with an amine of formula (3) [[:]]



b) reacting an acid of the formula (4) [[:]]



or an activated derivative thereof; with an amine of formula (5) [[:]]



wherein R^1 , R^2 , R^4 , and R^5 are, unless otherwise specified, as defined in claim 1;

wherein any functional groups are optionally protected;

and thereafter if necessary [[:]]

- i) converting a compound of the formula (1) into another compound of the formula (1);
- ii) removing any protecting groups; or
- iii) forming a pharmaceutically acceptable salt or in-vivo hydrolysable ester.

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7. (currently amended) A pharmaceutical composition comprising a compound of the formula (1) ~~as claimed in any one of claims 1, to 5~~ or a pharmaceutically[[-]] acceptable salt or in-vivo hydrolysable ester thereof and a pharmaceutically[[-]] acceptable diluent or carrier.

8-11. (canceled)

12. (currently amended) A method of treating type 2 diabetes, insulin resistance, syndrome X, hyperinsulinaemia, hyperglucagonaemia, cardiac ischaemia, or obesity in a warm-blooded animal, ~~such as man~~, in need of such treatment, ~~which comprises~~comprising administering to said animal an effective amount of a compound of formula (1) ~~as claimed in any one of claims 1 to 5~~.

13. (currently amended) A method of treating type 2 diabetes in a warm-blooded animal, ~~such as man~~, in need of such treatment, ~~which comprises~~comprising administering to said animal an effective amount of a compound of formula (1) ~~as claimed in any one of claims 1 to 5~~.